

***Commerce & Labor Committee***

***SSB 5205***

***Brief Description:*** *Requiring self-insurers and the department to provide information for independent medical examinations.*

***Sponsors:*** *By Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Prentice, Winsley, Fairley and T. Sheldon).*

***Brief Summary of Substitute Bill***

- *Requires the Department of Labor and Industries and self-insured employers to provide all relevant medical records from an injured worker's claim file to a physician examining the worker.*

***Hearing Date:*** *3/28/01*

***Staff:*** *Chris Cordes (786-7103).*

***Background:***

*If the Department of Labor and Industries or a self-insured employer finds a medical examination necessary to resolve a medical issue in an industrial insurance case, the department may order the injured worker to be examined by a physician the department selects. This physician will make a report to the person ordering the examination. The report will include a review of the history of the injury, the current symptoms, the worker's current work status, the past medical history and socioeconomic history, a review of systems, and a review of the injured worker's medical records.*

*Self-insured employers are subject to a penalty of up to \$500 for the benefit of the injured worker if, among other things, the self-insurer fails to provide a free copy of the worker's claim file within 15 days of the worker's request.*

***Summary of Bill:***

*The Department of Labor and Industries and self-insured employers must provide all*

*relevant medical records from an injured worker's claim file to a physician examining the worker. This requirement applies to self-insurers only to the extent it applies to the department.*

*The self-insurer's failure to provide all relevant medical records to the examining physician is subject to the same penalty as the self-insurer's failure to provide copies of claim files on the worker's request.*

***Rules Authority:*** *The bill does not contain provisions addressing the rule-making powers of an agency.*

***Appropriation:*** *None.*

***Fiscal Note:*** *Available.*

***Effective Date:*** *Ninety days after adjournment of session in which bill is passed.*